

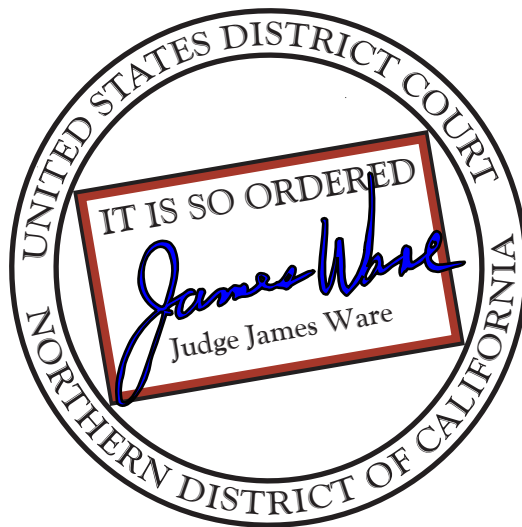
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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

HAMBRECHT WINE GROUP, L.P. d/b/a
 BELVEDERE WINERY, L.P.,

Plaintiff,

vs.

MILLENNIUM IMPORT LLC,

Defendant.

AND RELATED CROSS-ACTION

CASE NO.: C 05-4625 JW HRL

~~[PROPOSED]~~ ORDER AND
 STIPULATION SETTING HEARING
 DATES AND BRIEFING SCHEDULE FOR
 PLAINTIFF'S AND DEFENDANT'S
 CROSS-MOTIONS FOR SUMMARY
 JUDGMENT

[CIV. LOCAL RULE 7-7(b)]

Action Filed: November 10, 2005
 Trial Date: No Trial Date Set

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1 Plaintiff Hambrecht Wine Group, L.P. d/b/a Belvedere Winery, L.P. ("Belvedere Winery") and
 2 defendant Millennium Import LLC ("Millennium"), by and through their respective counsel of record,
 3 enter into the stipulation set forth below in recognition of the following:

4 A. Millennium's motion for summary judgment, filed on December 1, 2006, is scheduled to
 5 be heard on January 8, 2006. Belvedere Winery's filed its opposition to Millennium's motion on
 6 December 18, 2006.

7 B. Belvedere is preparing a cross-motion for summary judgment that it believes involves
 8 substantially the same legal issues and the same evidence as Millennium's motion.

9 C. In the interests of efficiency, the parties wish to continue the hearing date of
 10 Millennium's motion to February 12, 2007, and have both motions heard on that date.

11 D. The parties have not previously stipulated to continue the hearing date on Millennium's
 12 motion for summary judgment and the Court did not specially set the hearing date on Millennium's
 13 motion.

14 E. The parties have also reached agreement on a briefing schedule that will result in certain
 15 of their motion papers being filed earlier than otherwise required under the local rules.

16 ACCORDINGLY, THE PARTIES STIPULATE AS FOLLOWS:

17 1. The hearing on Millennium's motion for summary judgment shall be continued to
 18 February 12, 2006 at 9:00 a.m., and Belvedere Winery's motion shall also be noticed for and heard on
 19 that date and time.

20 2. Belvedere Winery shall file the moving papers in support of its motion for summary
 21 judgment on Thursday, January 4, 2007. It shall serve Millennium's counsel in two manners (a) by
 22 emailing a .pdf copy of the unredacted papers to Millennium's counsel by 5:00 p.m. on January 4, and
 23 (b) by also sending him a copy on January 4 via a next day delivery service.

24 3. Millennium shall file and serve its opposition papers to Belvedere Winery's summary
 25 judgment motion by January 22, 2007.

26 4. Millennium shall file and serve its reply papers in support of its summary judgment
 27 motion by January 24, 2007.
 28

5. Belvedere Winery shall file and serve its reply papers in support of its summary judgment motion by January 29, 2007.

It is so STIPULATED.

DATED: December 20, 2006

Respectfully submitted,

HAMBRECHT WINE GROUP, L.P. d/b/a
BELVEDERE WINERY, L.P.
By its Attorneys, Appearing Pro Hac Vice,

BROMBERG & SUNSTEIN LLP

/s/ Erik Paul Belt

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DATED: December 20, 2006

Respectfully submitted,

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(Pro Hac Vice)

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Kevin R. Lussier

By: /s/ James H. Berry, Jr.

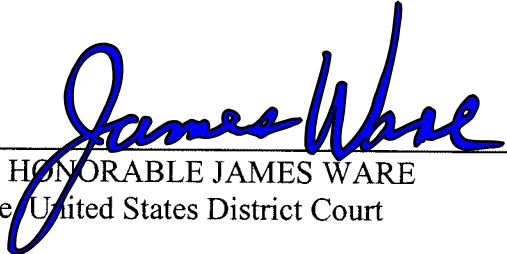
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Order

Good cause appearing for the above stipulation, it is so ORDERED, and the hearing on both Millennium's and Belvedere Winery's motions for summary judgment shall be on Monday, February 12, 2007 at 9:00 a.m.

Dated: December 27, 2006


THE HONORABLE JAMES WARE
Judge, United States District Court

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